

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -	x	
	:	CONSENT PRELIMINARY ORDER
UNITED STATES OF AMERICA	:	OF FORFEITURE /
	:	<u>MONEY JUDGMENT</u>
- v. -	:	
	:	13 Cr. 604 (JPO)
JAMES MEYER,	:	
	:	
Defendant.	:	
- - - - -	x	

WHEREAS, on or about August 8, 2013, JAMES MEYER (the "defendant"), was charged in a two-count Indictment, 13 Cr. 604 (JPO) (the "Indictment"), with interstate transportation of stolen property, in violation of Title 18, United States Code, Sections 2314 and 2 (Count One); and wire fraud, in violation of Title 18, United States Code, Section 1343 (Count Two);

WHEREAS, the Indictment included a forfeiture allegation as to Counts One and Two of the Indictment seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461, of all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the offenses alleged in Counts One and Two of the Indictment, including, but not limited to, a sum of United States currency, representing the amount of proceeds obtained as

a result of the offenses alleged in Counts One of the Indictment (the "Forfeiture Allegation");

WHEREAS, on or about August 27, 2014, the defendant pled guilty to Count One of the Indictment, and admitted the Forfeiture Allegation with respect to Count One of the Indictment, pursuant to a plea agreement with the Government, wherein the Defendant agreed to forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461, a sum of money equal to \$3,992,500 in United States currency, representing the amount of proceeds obtained as a result of the offense charged in Count One of the Indictment;

WHEREAS, the defendant consents to the entry of a money judgment in the amount of \$3,992,500 in United States currency, representing the amount of proceeds obtained as a result of the offense charged in Count One of the Indictment (the "Money Judgment");

WHEREAS, pursuant to Federal Rule of Criminal Procedure 32.2(b)(4)(A), the defendant consents to this Consent Preliminary Order of Forfeiture as to the Money Judgment becoming final as to his interests prior to sentencing; and

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney Preet Bharara, United States Attorney, Assistant United States Attorney Christopher D.

Frey, of counsel, and the defendant, and his counsel, Donna G. Recant, Esq. and Morris J. Fodeman, Esq., that:

1. As a result of the offense charged in Count One of the Indictment, to which the defendant pled guilty, a money judgment in the amount of \$3,992,500 in United States currency shall be entered against the defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, upon entry of this Consent Preliminary Order of Forfeiture, this Consent Preliminary Order of Forfeiture is final as to the defendant, JAMES MEYER, and shall be deemed part of the sentence of the defendant, and shall be included in the judgment of conviction therewith.

3. All payments on the outstanding Money Judgment shall be made by postal money order, bank or certified check, made payable, in this instance, to the "United States Marshals Service," and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Asset Forfeiture Unit, One St. Andrew's Plaza, New York, New York 10007 and shall indicate the defendant's name and case number.

4. Upon execution of this Consent Preliminary Order of Forfeiture and pursuant to Title 21, United States Code, Section 853, the United States Marshals Service shall be authorized to deposit the payments on the Money Judgment in the

Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

5. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, upon entry of this Consent Preliminary Order of Forfeiture, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas, pursuant to Rule 45 of the Federal Rules of Civil Procedure.

6. The Court shall retain jurisdiction to enforce this Consent Preliminary Order of Forfeiture, and to amend it as necessary, pursuant to Rule 32.2(e) of the Federal Rules of Criminal Procedure.

7. The Clerk of the Court shall forward three certified copies of this Consent Preliminary Order of Forfeiture to Assistant United States Attorney, Sharon Cohen Levin, Chief of Asset Forfeiture Unit, One St. Andrew's Plaza, New York, New York 10007.

8. The signature pages of this Consent Preliminary Order of Forfeiture may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:

PREET BHARARA
United States Attorney for the
Southern District of New York
Attorney for Plaintiff

By: Christopher D. Frey
CHRISTOPHER D. FREY
Assistant United States Attorney
One St. Andrew's Plaza
New York, New York 10007
Tel.: (212) 637-2270

August 27, 2014
DATE

JAMES MEYER
Defendant

By: James Meyer
JAMES MEYER


8/27/14
DATE

By: Donna G. Recant
DONNA G. RECANT, ESQ.
Donna G. Recant, P.C.
230 Park Avenue, Suite 440
New York, New York 10169
Tel. (212) 371-8008

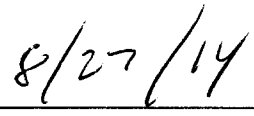
8/27/14
DATE

- and -
MORRIS J. FODEMAN, ESQ.
Wilson Sonsini Goodrich & Rosati
1301 Avenue of the Americas
New York, New York 10019
Tel. (212) 497-7704
Attorneys for Defendant

SO ORDERED:



HONORABLE J. PAUL OETKEN
UNITED STATES DISTRICT JUDGE



DATE